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UTILITIES COMMISSION

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June 9, 2020

Via USPS Mail

Idaho Public Utilities Commission
PO Box 837720
Boise, ID 83720-0074

Re: **STB Docket No. AB-1252 (Sub-No. 1X) EIR-20-01**
Eastern Idaho Railroad, L.L.C. – Abandonment Exemption –
In Bonneville County, Idaho

SUPPLEMENTAL NOTICE

Dear Sir/Madam:

On February 24, 2020, Eastern Idaho Railroad, L.L.C. ("EIRR") filed with the Surface Transportation Board ("STB"), Washington, D.C., a notice of exemption under 49 C.F.R. Part 1152, Subpart F – *Exempt Abandonments and Discontinuances of Service and Trackage Rights*, to permit the abandonment of an approximately 0.76-mile segment of a railroad located in Idaho Falls, Bonneville County, Idaho, extending from milepost 184.14 (immediately southeast of the grade crossing with Yellowstone Highway), to milepost 184.90 (north of the grade crossing with W. Broadway Street) (the "Line"). The Line traverses United States Postal Service ZIP Code 83402. The proceeding has been docketed as STB Docket No. AB-1252 (Sub-No. 1X). A map depicting the Line is enclosed herewith.

The exemption procedures set forth at § 1152.50 have been invoked because no local traffic has moved over the Line for at least two years, and overhead traffic (if any) can be diverted to other routes. Based on information now in the railroad's possession, it appears that the land underlying the Line consists in large part, if not entirely, of federally-granted right-of-way.¹ Any documentation in the railroad's possession regarding federally-granted right-of-way will be made available promptly to those requesting it.

EIRR is providing this supplemental notice in accordance with a decision served by the STB in this docket on June 5, 2020, in which the STB noted the discrepancy between EIRR's

¹ In a notice previously provided to you, EIRR had stated that it did not believe that the underlying land consisted of federally-granted right-of-way. Subsequent EIRR investigation, and input from the City of Idaho Falls has led EIRR to determine (based upon information EIRR has examined) that the Line appears to contain a considerable amount of federally-granted land.

original statements regarding no federally-granted rights-of-way, and a subsequent filing in which EIRR advised the STB that it appeared that the Line's right-of-way (or parts of it) had been granted to EIRR's original predecessor by the federal government. To correct that discrepancy, the STB has directed EIRR to supply you with a revised notice of abandonment, clarifying our understanding that the Line contains federally-granted rights-of-way. Contingent upon compliance with the STB's direction, and subject to EIRR's certification to the STB of its compliance with the same, EIRR's abandonment authorization was permitted to take effect, provisionally, as of June 5, 2020.

If you have any questions about the abandonment notice of exemption that EIRR has filed, the STB's decision of June 5, 2020, or EIRR's compliance with the order set forth in that decision, please review the applicable regulations or contact me at 312-252-1504 or the Surface Transportation Board, 395 E Street SW Washington, DC 20423-0001; TEL: (202) 245-0230.

Sincerely,

R. A. Wimbish

Robert A. Wimbish

Attorney for Eastern Idaho Railroad, L.L.C.

Enclosure

Docket No. AB-1252 (Sub-No. 1X)
Eastern Idaho Railroad, LLC –
Abandonment Exemption – In Bonneville County, Idaho

